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APR 07 2020	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
Case No. 20-mj-00252-EJY	DEPUTY

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MALACHI OLAJUWON SMITH,

Defendant.

ORDER TO SEAL

(Under Seal)

Based on the pending *Ex Parte* Application of the Government, and good cause appearing therefore,


IT IS HEREBY ORDERED that the Complaint, the Government's Application and this Court's Sealing Order, in the above-captioned matter, shall be sealed until further Order of the Court.

DATED this 7th day of April, 2020.


HONORABLE ELAYNA J. YOUCHAH
UNITED STATES MAGISTRATE JUDGE

I hereby attest and certify on 4/7/2020
that the foregoing document is a full true and correct
copy of the original on file in my office, and in my legal
custody.

ELAYNA J. YOUCHAH
U.S. MAGISTRATE JUDGE
DISTRICT OF NEVADA

By  Judicial Assistant
Law Clerk

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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MALACHI OLAJUWON SMITH,

Defendant.

Case No. 2:20-mj-00252-EJY

GOVERNMENT'S *EX PARTE*
APPLICATION REQUESTING
SEALING OF THE COMPLAINT

(Under Seal)

The United States of America, by and through NICHOLAS A. TRUTANICH, United States Attorney, and Jennifer Oxley, Assistant United States Attorney, respectfully moves this Honorable Court for an Order sealing the Complaint, together with this Application, and the Court's Sealing Order, in the above-captioned matter, until such time as this Honorable Court, or another Court of competent jurisdiction, shall order otherwise.

The Government submits that it is necessary for said documents to be sealed in light of the fact that they make reference to an ongoing investigation involving an eyewitness and because the defendant is out of custody on house arrest. The Government submits that disclosure of the information may possibly jeopardize the investigation, risk the witness's safety, and permit

1 further flight in order to avoid prosecution. The Government submits that its right to secrecy far
2 outweighs the public's right to know of the allegations contained in the Complaint.

3
4 DATED this 4th day of April, 2020.

5 Respectfully submitted,

6 NICHOLAS A. TRUTANICH
7 United States Attorney

8 /s/ Jennifer J. Oxley
9 JENNIFER J. OXLEY
Assistant United States Attorney